

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:06 CR 250-15**

UNITED STATES OF AMERICA, )  
Vs. ) ) ORDER  
LYNWOOD EARL NEWBORN, JR., )  
Defendant. )  
\_\_\_\_\_  
)

THIS CAUSE coming on to be heard before the undersigned on December 27, 2006 for the purpose of conducting a Rule 11 inquiry. At the call of this matter on for hearing, counsel for the defendant requested that the matter be continued so that he could conduct further negotiations with the Government due to evidence regarding the defendant's criminal record that had been discovered by the defendant's attorney. Donald Gast, the Assistant United States Attorney representing the Government advised the undersigned that he had no objection to the order continuing the Rule 11 proceeding.

## ORDER

WHEREFORE, it is hereby **ORDERED** that the Rule 11 proceeding in this matter be continued until January 4, 2007.

Signed: January 8, 2007

Dennis & Howell

Dennis L. Howell  
United States Magistrate Judge

